

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
Denise Carlon, Esquire
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Main Phone: 609-250-0700
dcarlon@kmlawgroup.com
Attorneys for Secured Creditor
Specialized Loan Servicing, LLC



Order Filed on May 20, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:
Matthew S. Stuart, Michele Stuart

Debtors.

Case No.: 17-16721 ABA

Adv. No.:


Hearing Date: 5/18/2021 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: May 20, 2021



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

(Page 2)

Debtors: Matthew S. Stuart, Michele Stuart

Case No: 17-16721 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Specialized Loan Servicing, LLC, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 167 Sequoya Drive, Berlin, NJ 08009, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Jeffrey E. Jenkins, Esq., attorney for Debtors, and for good cause having been shown

It **ORDERED, ADJUDGED and DECREED** that Debtors shall make post-petition payments directly to Secured Creditor outside of the plan in accordance with the terms of the trial loan modification; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event a final loan modification is unsuccessful, Debtor is responsible for the difference between the trial modification payment and the regular payment for the months this loan was in the trial modification; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event a final loan modification is unsuccessful, Secured Creditor reserves the right to collect the arrears accordingly; and

It is further **ORDERED, ADJUDGED and DECREED** that trial modification payments are to be made directly to Secured Creditor's servicer, Specialized Loan Servicing, LLC 6200 S. Quebec St. Greenwood Village, Colorado 80111 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if the payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond, but nothing in this order shall affect Secured Creditor's right to deny a modification for failure to make a trial payment on or before its due date in accordance with the terms of the trial modification offer; and

(Page 3)

Debtors: Matthew S. Stuart, Michele Stuart

Case No: 17-16721 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that if a final loan modification is not reached, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating same and outlining any post-petition arrears due, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such applications, supporting certifications, and proposed Orders must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that the motion for relief is hereby resolved.

In re:
Matthew S. Stuart
Michele Stuart
Debtors

Case No. 17-16721-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: May 20, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 22, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Matthew S. Stuart, Michele Stuart, 167 Sequoya Drive, Berlin, NJ 08009-1445

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 22, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 20, 2021 at the address(es) listed below:

Name	Email Address
Carrie J. Boyle	on behalf of Joint Debtor Michele Stuart cboyle@b-vlaw.com tking@b-vlaw.com;cvitullo@b-vlaw.com;cjbef@gmail.com;kgresh@mpadlaw.com;tegner@mpadlaw.com;djamison@mpadlaw.com;lwood@mpadlaw.com;cgetz@mpadlaw.com;carrie.boyle@comcast.net;J.CR73128@notify.bestcase.com
Daniel L Reinganum	on behalf of Debtor Matthew S. Stuart DanielR@McDowellLegal.com tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis on@mcdowelllegal.com;cgetz@mcdowelllegal.com;reinganumdr62202@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor SPECIALIZED LOAN SERVICING LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa	ecfmail@standingtrustee.com summarymail@standingtrustee.com
Isabel C. Balboa	

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: May 20, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jane L. McDonald

on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com

Jeffrey E. Jenkins

on behalf of Debtor Matthew S. Stuart mail@jenkinsclayman.com connor@jenkinsclayman.com

Lauren Bielskie

on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov

Nicholas V. Rogers

on behalf of Creditor WELLS FARGO BANK N.A. nj.bkecf@fedphe.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10